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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary

Application No.

10/561,857

Applicant(s)

VAN GASSEL ET AL.

Examiner

Imad Hussain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/25/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 6/5/2007.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. PCT/IB04/50946, filed on 06/21/2004.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In this case, computer-related inventions whether descriptive or functionally descriptive material are non-statutory categories when claimed as descriptive material per se (see *Warmerdam*, 33 F.3d at 1360 USPQ2d at 1759), falling under the "process" category (i.e. inventions that consist of a series of steps or acts to be performed).

See 35 U.S.C. 100(b) ("The term process means, art, or method, and includes a new or improved process, machine, manufacture, composition of matter or material").

Functional descriptive material: "data structures" representing descriptive material per se or computer program representing computer listing per se (i.e. software per se) when embodied in a computer-readable media are still not statutory because they are not capable of causing functional change in the computer. However, a claimed computer-readable storage medium encoded with a data structure, computer listing or computer program, having defined structural and functional interrelationships between the data

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structure, computer listing or computer program and the computer software and hardware component, which permit the data structure's, listing or program's functionality to be realized, is statutory (see MPEP 2106).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephen Palm (US 2001/0042107 A1, hereafter Palm) in further view of Yaung et al (US 6446069 B1, hereafter Yaung).

Regarding claim 1, Palm teaches *a method of enabling multiple users [Palm: Figure 1 (105)] of a UPnP [Palm: Paragraph 76 Lines 4-5] network to access an inventory of content information items [Palm: Paragraph 78 Lines 3-5] stored at a MediaServer [Palm: "media server", Figure 1 (115)] on the network, the method comprising:*

enabling to identify each respective one of the multiple users [Palm: "multimedia devices", Figure 1 (105)] by means of a respective one of different addresses [Palm: "IP addresses", Paragraph 93] contained in a respective request for access to the MediaServer [Palm: Paragraph 93]; and

enabling to provide a mode of access to the inventory based on the respective addresses [Palm: Paragraph 93].

Palm does not explicitly disclose different modes of access, only one mode of access and one mode of non-access.

However, Yaung teaches a method of controlling different modes of access for respective users by means of an application specific definition vector of privileges [Yaung: Column 7 Lines 45-59].

Palm and Yaung are analogous subject matter in the same field of endeavor as both cover the control and distribution of multimedia content in a network system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the definition vector of Yaung for multiple modes of access in the system of Palm. One of ordinary skill in the art would have been motivated to modify the system of Palm with the definition vector teaching of Yaung because in doing so, the system would allow for “sophisticated access to the underlying multimedia database” [Yaung: Column 3 Lines 21-28].

Regarding claim 2, Palm and Yaung teach that *the respective modes of access differ from one another with regard to rights to access at least a specific one of the content information items in the inventory* [Yaung: Column 9 Line 52-Column 10 Line 3].

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Regarding claim 3, Palm teaches that *the respective modes of access differ from one another with regard to user interaction allowed with at least a specific one of the content information items in the inventory* [Yaung: Column 9 Line 52-Column 10 Line 3].

Regarding claim 5, Palm and Yaung teach that *the respective addresses comprise respective IP addresses* [Palm: Paragraph 93] *of respective Control Points* [Palm: “multimedia devices follow the guidelines proposed by UPnP”, paragraph 76] *on the network*.

Regarding claim 6, Palm and Yaung teach that *the respective addresses are comprised in respective SOAP requests to the MediaServer*.

Palm discloses that the multimedia system follows the UPnP standard [Palm: Paragraph 76]. As support, John Ritchie et al (*UPnP AV Architecture:0.83*, hereafter Ritchie) disclose that the standard UPnP control protocol is SOAP over HTTP [Ritchie: Page 6 Paragraph 5 Line 5], which runs over TCP/IP and therefore contains the IP source address.

Regarding claim 8, the claim comprises the same limitations as claim 1. The same rationale for rejection is applicable.

Regarding claim 9, the claim comprises the limitations of claims 8 and 2. The same rationale for rejection is applicable.

Regarding claim 10, the claim comprises the limitations of claims 8 and 3. The same rationale for rejection is applicable.

Regarding claim 12, Palm and Yaung teach the software of claim 8, as discussed above, *wherein the modes of access are programmable* [Yaung: Column 7 Lines 45-59].

5. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palm and Yaung as applied to claim 1 above, and further in view of Papierniak et al (US 6418439 B1, hereafter Papierniak).

Regarding claim 4, Palm and Yaung do not explicitly disclose differing representations of inventory.

However, Papierniak teaches *respective modes of access that differ from one another with regard to a representation of the inventory* [Papierniak: Abstract and Representative Drawing (58)].

Palm, Yaung, and Papierniak are analogous subject matter in the same field of endeavor as all cover the distribution of multimedia content in a network system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the variations teaching of Papierniak for “different users to examine multiple versions of information” in the system of Palm and Yaung.

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One of ordinary skill in the art would have been motivated to modify the system of Palm and Young with the variations teaching of Papierniak because in doing so, the system would allow for "multiple versions of information to be accessible to different users based on... defined privileges" [Papierniak: Column 2 Lines 17-24].

Regarding claim 11, the claim comprises the limitations of claims 8 and 4. The same rationale for rejection is applicable.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palm and Yang as applied to claim 1 above, and further in view of Qiaofeng Zhou (US 2002/0138578 A1, hereafter Zhou).

Regarding claim 7, Palm and Young teach the method of claim 1, as discussed above, wherein the network comprises Control Points that enables users to interact with the network [Palm: "multimedia devices 105 follow the guidelines proposed by UPnP", Paragraph 76 Lines 4-5 and "multimedia device 105 request a specific multimedia clip from media server 115", Paragraph 79 Lines 1-2].

Palm and Young do not disclose *enabling a (single) Control Point to use different addresses for respective ones of the multiple users*.

However, Zhou teaches a method of using a single computing device to as a host for multiple virtual users with each of the virtual users being associated with a virtual network address [Zhou: Claim 36].

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Palm, Yaung and Zhou are analogous subject matter in the same field of endeavor as all cover the control and distribution of multimedia content in a network system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the virtual network addressing teaching of Zhou for allowing multiple users to share the resources of a single device in the system of Palm and Yaung. One of ordinary skill in the art would have been motivated to modify the system of Palm and Yaung with the virtual network addressing teaching of Zhou because in doing so, the system would allow for multiple users to share the resources of a single physical device [Zhou: Paragraph 15].

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Ellison, Carl. *SecurityConsole:1 Service Template* (Describes the UPnP AV access control standard.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Imad Hussain whose telephone number is 571-270-3628. The examiner can normally be reached on Monday through Thursday from 0730 to 1700.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beatriz Prieto can be reached on 571-272-3902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IH/
Imad Hussain
Patent Examiner


BEATRIZ PRIETO
SUPERVISORY PATENT EXAMINER